AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AMENDMENT NO. 2 TO EXTEND THE NUMBER OF DAYS FOR COMPLETION OF THE WORK UNDER THE EXPIRED CONTRACT FC-3004007825, CUSTER AVENUE CSO STORAGE AND DECHLORINATION FACILITY AGREEMENT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; TO WAIVE ARTICLE IX OF THE REAL ESTATE AND PROCUREMENT CODE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement for FC-3004007825, Custer Avenue Storage and Dechlorination Facility Project with Gunter Nash, Incorporated ("Gunter Nash") on February 23, 2005; and

WHEREAS, the Project is required by the City's Consent Decree with the Georgia Environmental Protection Division, U.S. Environmental Protection Agency and the Upper Chattahoochee Riverkeeper; and

WHEREAS, the City directed the contractor to do certain additional work in order to meet the Combined Sewer Overflow ("CSO") Consent Decree requirements as provided for under the changes and extra work provisions of the Agreement; and

WHEREAS, in 05-R-0204 which authorized the contract with Gunther-Nash, Inc. for FC-3004007825 (the "Agreement") had an original contract term of 730 calendar days for substantial completion and 820 days for full completion of the contract; and

WHEREAS, the contract expired May 22, 2007 and One Hundred Ninety-Two (192) additional days are needed for completion of the project; and

WHEREAS, the Department of Watershed Management desires to enter into Amendment No. 2 for FC-3004007825, Custer Avenue Storage and Dechlorination Facility Project ("Project") with Gunter Nash, Inc. to extend the number of days for completion of the work by one hundred ninety two (192) days and to provide additional funding for the work on behalf of the Department of Watershed Management; and

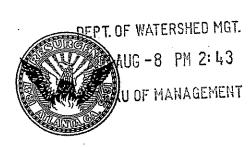
WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend Amendment No. 2 for FC-3004007825, Custer Avenue Storage and Dechlorination Facility Project with Gunter Nash, Inc.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1.

That the Mayor or her designee is hereby authorized to enter into Amendment No. 2 for contract FC-3004007825, Custer Avenue Storage and Dechlorination Facility Project ("Project") with Gunter Nash, Inc. on behalf of the Department of Watershed

(a) Service		vices, Construction Agreement, etc): Construction
(b)	Source Selection:	
(c)	Bids/Proposals Due:	
(d)	Invitations Issued:	
(e)	Number of Bids:	
(f)	Proposals Received:	
(g)	Bidders/Proponents:	
(h)	Term of Contract:	
4. Fund	Account Center (Ex. Name and number	•
Fund: _	Account:	Center:
5. Sour	ce of Funds: Example: Local Assistance	Grant
6. Fisc	al Impact:	
7. Meth	od of Cost Recovery:	
This Le	gislative Request Form Was Prepared By	: Willie Canidate





CITY OF ATLANTA

SHIRLEY C. FRANKLIN MAYOR

55 TRINITY AVENUE, SUITE 5400 ATLANTA, GEORGIA 30335-0312 OFFICE (404) 330-6081 DEPARTMENT OF WATERSHED MANAGEMENT

> ROBERT J. HUNTER COMMISSIONER

To:

Sheila C. Pierce, Deputy Commissioner

Department of Watershed Management

From:

George D. Barnes, P.E., Deputy Commissioner

Department of Watershed Management

Subject:

FC-3004007825, Custer Avenue CSO Storage and Dechlorination Facility

Date:

August 2, 2007

Attached hereto are two copies of proposed Amendment Agreement No. 1 for the subject project in the amount of \$659,895.00. This amendment agreement is to provide for additional construction services required on the subject project to clean the Intrenchment Creek CSO Tunnel. It was necessary to clean the tunnel prior to startup of operation of the Custer Avenue CSO facilities and the Intrenchment Creek CSO Treatment Plant to meet the City's Consent Decree milestone.

The amount of the contract amendment is less than 10% of the original agreement amount and therefore, does not require City Council approval.

Funds are available 2J27 574001 Q38I02809999.

Please transmit to the Department of Procurement for issuance to bidders.

If you have any questions or need any additional information please let me know.

cc:

Attachment

Jeff Acton

Paula Days

Pati McMahon

ТИЗМЭДАМАМ 40 UAЗЯИВ

2007 AUG -6 PM 1:29

DEPT OF WATERSHED MGT.



CITY ATLANTA

SHIRLEY FRANKLIN MAYOR

OFFICE OF CONTRACT COMPLIANCE 55 TRINITY AVENUE, S.W. SUITE 1700 ATLANTA, GEORGIA 30303 OFFICE (404) 330-6010 FAX (404) 658-7359

TO:

Adam L. Smith, Chief Procurement Officer

Department of Procurement

FROM:

Hubert Owens

Office of Contract/Compliance

DATE: February 3, 2005

RE: Recommendation for FC 3004007825-04, Custer CSO Storage &

Dechlorination Facility

The Office of Contract Compliance has evaluated two (2) bids for minority and female business enterprise participation. Both bidders are eligible under Section 2-1449(a) (2) (C) however, only one has been deemed responsive by the Office of Contract Compliance. For your information, the bidders have committed to utilizing AABE's, FBE's, HBE's, and ABE's as indicated below:

Gunther-Nash, Inc.		
Environmental Pipeline Rehabilitation	AABE	17%
Georgia Pipe & Construction Supplies, Inc.	FBE	17%
Total Participation		34%

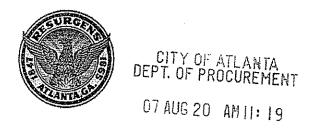


Page 2 Adam L. Smith February 3, 2005

•		
GSC, Inc.	AABE	1.8%
T.B. Transport, Inc.		.3%
C&S Paving	FBE	2.6%
Anatek, Inc.	FBE	
Excalibur Drilling, Inc.	FBE	.3%
Gallet & Associates, Inc.	FBE	.1%
Metro Petroleum	AABE	1.2%
Anasteel & Supply Company, LLC	FBE	2.4%
Anasteel & Supply Company, Else	AABE	4.0%
Assembly Required	FBE	.9%
Brown's Roofing Services, Inc.	,	.1%
Good Success Company, Inc.	AABE	
Legacy Ford Mercury, Inc.	AABE	.3%
Global Control System, Inc.	ABE	
Total Participation		14.5%
Total Lauricipation		
Non-Responsive		

If you have questions, please contact me at (404) 330-6010 or Tracy Reed at (404) 330-6011.

cc: File Lynn Partee, DOP



SHIRLEY FRANKLIN MAYOR

CITY OF ATLANTA

55 TRINITY AVENUE., SW, SUITE 5400, SOUTH BLDG. ATLANTA, GEORGIA 30303-0324 OFFICE (404) 330-6081 FAX (404) 658-7194 DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

August 17, 2007

TO:

Adam L. Smith, Chief Procurement Officer

Department of Procurement

FROM:

Robert J. Hunter, Commissioner

Department of Watershed Management

RE:

FC-3004007825, Custer Avenue CSO Storage and Dechlorination

AM 2

The above referenced contract was executed on February 23, 2005 with Gunther Nash, Inc. for a period of eight hundred twenty (820) calendar days for full completion, and with a not to exceed contracted amount of \$36,036,817.00.

Amendment 1 was executed on February 5, 3007, to correct the terms of the contract.

The Department of Watershed Management is requesting assistance for the execution of Amendment 2 in the amount of \$659,895.00 to provide for additional construction services to clean the Intrenchment Creek CSO Tunnel.

Thank you for assistance and cooperation in this matter.

RJH:SP/wc

Attachment

C:

George Barnes, Deputy Commissioner, DWM Sheila Pierce, Deputy Commissioner, DWM Cathy Martin, Deputy Chief Procurement Officer, DOP Lynn Portee, Contracting Officer, DOP

DOP003-04

REQUISITION

				REQUISITIO	N NUMBER	l.		Q38I8010		
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							[DATE NEEDED		
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	TOTAL								\$	659,895.00
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CON	TACT PERSON	GEO!	RGE BARNE	ES		DATE COMP	LETED _	10/15/2007	PHONE#((404) 330-6708
AUTHOR	ndersigned certifies RIZED SIGNATURE DP USE ONLY	that lands are availing the lands are availing to land and are availing the lands are availing the lands are available to lands are avail	able at the budget	adoption level for FINANCE US		DIT USE (DATE ONLY	(0)15(0)	Compute	er Equipment Disapprove
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LEGISLATIVE SUMMARY

TO: Finance Executive Committee

CAPTION

AN ORDINANCE

BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR OR HER DESIGNEE TO ENTER INTO AMENDMENT NUMBER TWO (2) TO EXTEND THE NUMBER OF DAYS FOR COMPLETION OF THE WORK UNDER THE EXPIRED CONTRACT FC-3004007825, CUSTER AVENUE CSO STORAGE AND DECHLORINATION FACILITY AGREEMENT, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT; TO INCREASE THE AMOUNT OF COMPENSATION PROVIDED UNDER THE CONTRACT IN THE AMOUNT OF \$659,895.00 (SIX HUNDRED FIFTY-NINE THOUSAND, EIGHT HUNDRED NINETY-FIVE DOLLARS AND NO CENTS; ALL CONTRACTED WORK WILL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBERS 2J27 (2001 WATER AND WASTEWATER BOND FUND) 574001 (FACILITIES OTHER THAN BUILDINGS) Q38102809999 (CUSTER AVENUE STORAGE AND DECHLORINATION FACILITY); AND FOR OTHER PURPOSES.

Committee Meeting Date:

October 27, 2007

Council Meeting Date:

November 5, 2007

Legislation Title:

3004007825 Amendment 2

Requesting Dept.:

Watershed Management

Contract Type:

Sewer Construction Services

Advertisement:

Advertised as RFQ on December 19, 2004

Bids/Proposals Due:

February 3, 2005

Invitations Mailed:

183 potential Bidders

Bids/Proposals Received:

February 3, 2005

Bidders/Proponents:

Bidders:

GSC Atlanta, Inc. Gunther-Nash, Inc. \$34,442,000.00 36,536,817.00

(negotiated to \$36,036,817.00)

W.L. Hailey

NO BID

Contractor:

(Gunther-Nash, Inc.

\$36,536,817.00

(negotiated to \$36,036,817.00)

Estimated Value:

\$36,536,817.00

Scope Summary: This is phased funded project commencing on February 23,

2005. This Agreement's term was seven hundred thirty (730) days to substantial completion and eight hundred twenty (820) days till final completion. The Agreement expired on May 22,

2007.

Background:

Original Agreement

February 23, 2004 Term to expire

90 Day Extension

extended to May 22, 2007

Evaluation Team: Representatives from the Office of Contract Compliance

and the Departments of Watershed Management and

Procurement.

Term of Contract: Original Term was February 23, 2004 to March 22, 2007. 90 Day

Extension extended term to May 23, 2007.

Fund Account Centers: 2J27 (2001 Water & Wastewater Bond Fund)

574001 Facilities Other Than Buildings) Q38I02809999 (Custer Avenue Storage and

Dechlorination Facility).

Prepared By: Lynn Thomas Portee

Contact Number: 404-330-6109

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE		ATTN: GREG PRIDGEON
Department's Legislative Liai	son <u>Mai</u>	isha L. Wood
Contact Number: <u>x6887</u>		· · · · · · · · · · · · · · · · · · ·
Originating Department:W	atershed Management	
Committee(s) of Purview: Fi	nance/Executive	
Council Deadline:	November 5	5, 2007
Anticipated Committee Meeti	ng Date(s): November	13, 2007
Anticipated Full Council Date	: November 19, 2007	
Legislative Counsel (Signature	e): Mhusa A	tuk
Commissioner Signature	obert . Tun	ter xp
Chief Procurement Officer Sig		1
<u>CAPTION</u>	/	
AN ORDINANCE BY FINANCE/EXECUTIVE COM	MITTEE	
AMENDMENT NO. 2 TO EXTEN WORK UNDER THE EXPIRED STORAGE AND DECHLORINA DEPARTMENT OF WATERSHE COMPENSATION PROVIDED UIT (SIX HUNDRED FIFTY-NINE THE NO CENTS; ALL CONTRACTED ACCOUNT AND CENTER NUMB	ND THE NUMBER OF DAY D CONTRACT FC-300400 TION FACILITY AGREE ED MANAGEMENT; TO NDER THE CONTRACT II OUSAND, EIGHT HUNDRE WORK WILL BE CHARG ERS 2J27 (2001 WATER AN THAN BUILDINGS) Q3	DESIGNEE TO ENTER INTO YS FOR COMPLETION OF THE 07825, CUSTER AVENUE CSO EMENT, ON BEHALF OF THE INCREASE THE AMOUNT OF N THE AMOUNT OF \$659,895.00 ED NINETY-FIVE DOLLARS AND GED TO AND PAID FROM FUND ND WASTEWATER BOND FUND) 8102809999 (CUSTER AVENUE OTHER PURPOSES.
Mayor's Staff Only		
Received by CPO:	Received by I	CC from CPO:
(date) Received by Mayor's Office:		(date)
Submitted to Council:	(date)	(date)
	(date)	